



03-19-10

Handwritten initials

Handwritten initials

Express Mail No. EM 146 907 103 US

UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rein *et al.*

Confirmation No.: 8812

Serial No.: 09/980,727

Group Art Unit: 1618

Filed: July 8, 2002

Examiner: Rogers, James William

For: METHOD FOR PRODUCING A WATER-INSOLUBLE AMORPHOUS OR PARTIALLY AMORPHOUS CONTROLLED-RELEASE MATRIX

Attorney Docket No.: 11390-009

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 19, 2009 of the Primary Examiner finally rejecting claims 1, 5, 6, 10, 16-18 and 20-32 of the above-identified application.

The item(s) checked below are appropriate:

- 1. An extension of time for responding to the final rejection for three month(s):
 - was filed on
 - is submitted herewith.
- 2. A timely response to the final rejection has been filed.
- 3. A fee in the amount of \$540.00 is:

	03/19/2010	MGEBREM1	00000028	503013	09980727
<input type="checkbox"/> Required.		01 FC:1401		540.00	DA
- 4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$270.00 is:
 - Required.
 - Not required (Fee paid in prior appeal).
- 5. Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: March 18, 2010

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

William J. Thomann 40,203
By: William J. Thomann (Reg. No.)

JONES DAY
222 East 41st Street
New York, New York 10017-6702
(212) 326-3939